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- \*Admitted only in Maryland
- +Admitted only in Virginia
- ▲Admitted only in Texas
- Practice Limited to Federal Agencies

Commissioner for Patents  
Washington, D.C. 20231

December 11, 2002

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Art Unit 1646

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Re: U.S. Utility Patent Application  
Appl. No. 10/005,842; Filed: December 7, 2001  
For: Death Domain Containing Receptor 5  
Inventor(s): NI et al.  
Our Ref: 1488.131000A/EKS/EJH

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Second Supplemental Information Disclosure Statement;
2. Form PTO-1449 listing TWELVE (12) documents (4 pages);
3. Copies of the TWELVE (12) cited documents as listed on Form PTO-1449; and
4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN &amp; FOX P.L.L.C.

Elizabeth J. Haanes, Ph.D., Esq.

Attorney for Applicants  
Registration No. 42,613

EKS/EJH/mjg  
Enclosures

SKGF\_DC1:82145.1



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

Ni *et al.*

Appl. No. 10/005,842

Filed: December 7, 2001

For: **Death Domain Containing  
Receptor 5**

Confirmation No. 4105

DEC 12 2002

Art Unit: 1646

TECH CENTER 1600/2900

Examiner: *To Be Assigned*

Atty. Docket: 1488.131000A/EKS/EJH

**Second Supplemental Information Disclosure Statement**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on January 17, 2002 in connection with the above-captioned application. A copy of each document is also provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

This Second Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

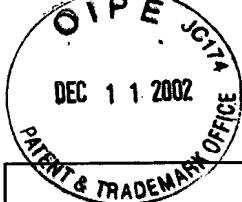
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: December 11, 2002

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FORM PTO-1449

SECOND SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT
ATTY. DOCKET NO.  
1488.131000A/EKS/EJHAPPLICATION NO.  
10/005,842APPLICANT  
Ni et al.FILING DATE  
December 7, 2001GROUP  
1646

## U.S. PATENT DOCUMENTS

| EXAMINER INITIAL |    | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE |
|------------------|----|-----------------|------|------|-------|-----------|-------------|
|                  | AA |                 |      |      |       |           |             |
|                  | AB |                 |      |      |       |           |             |
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## FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL |     | DOCUMENT NUMBER | DATE       | COUNTRY | CLASS | SUB-CLASS | TRANSLATION |
|------------------|-----|-----------------|------------|---------|-------|-----------|-------------|
|                  | AL  |                 |            |         |       |           | Yes<br>No   |
|                  | AM  |                 |            |         |       |           | Yes<br>No   |
|                  | AN3 | WO 98/46643 A1  | 10/22/1998 | WIPO    |       |           | Yes<br>No   |
|                  | A03 | WO 98/51793 A1  | 11/19/1998 | WIPO    |       |           | Yes<br>No   |
|                  | AP3 | WO 99/00423 A1  | 01/07/1999 | WIPO    |       |           | Yes<br>No   |

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

|  |    |   |  |  |  |  |  |
|--|----|---|--|--|--|--|--|
|  | AR |   |  |  |  |  |  |
|  | AS |   |  |  |  |  |  |
|  | AT | 8 |  | Beutler, B., and Cerami, A., "Tumor Necrosis, Cachexia, Shock, and Inflammation: A Common Mediator," Ann. Rev. Biochem. 57:505-518, Annual Reviews Inc. (1988) |  |  |  |

| EXAMINER | DATE CONSIDERED |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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FORM PTO-1449  
SECOND SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.  
1488.131000A/EKS/EJH

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APPLICANT  
Ni et al.

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| AN               |                 |      |         |       |           | Yes<br>No   |
| AO               |                 |      |         |       |           | Yes<br>No   |
| AP               |                 |      |         |       |           | Yes<br>No   |

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

|  |    |   |  |
|--|----|---|--|
|  | AR | 9 | Fiers, W., "Tumor necrosis factor. Characterization at the molecular, cellular and in vivo level," <i>FEBS Lett.</i> 285:199-212, Elsevier Science B.V. (1991)                                       |
|  | AS | 9 | Goeddel, D.V., et al., "Tumor Necrosis Factors: Gene Structure and Biological Activities," <i>Cold Spring Harb. Symp. Quant. Biol.</i> 51(Pt. 1):597-609, Cold Spring Harbor Laboratory Press (1986) |
|  | AT | 9 | Golstein, P., "Cell death: TRAIL and its receptors," <i>Curr. Biol.</i> 7:R750-R753, Current Biology Ltd. (December 1997)  |

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| FORM PTO-1449<br><u>SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</u> |  | ATTY. DOCKET NO.<br>1488.131000A/EKS/EJH | APPLICATION NO.<br>10/005,842 |
|  |  | APPLICANT<br>Ni et al.                   |                               |
|  |  | FILING DATE<br>December 7, 2001          | GROUP<br>1646                 |

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## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

|  |    |           |  |
|--|----|-----------|--|
|  | AR | <u>10</u> | Gruss, H.-J., and Dower, S.K., "Tumor Necrosis Factor Ligand Superfamily: Involvement in the Pathology of Malignant Lymphomas," <i>Blood</i> 85:3378-3404, The American Society of Hematology (1995) |
|  | AS | <u>10</u> | Locksley, R.M., et al., "The TNF and TNF Receptor Superfamilies: Integrating Mammalian Biology," <i>Cell</i> 104:487-501, Cell Press (February 2001)   |
|  | AT | <u>10</u> | Nagata, S., "Apoptosis by Death Factor," <i>Cell</i> 88:355-365, Cell Press (February 1997)  |

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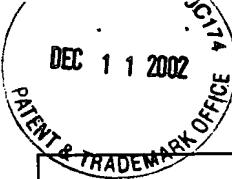
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| FORM PTO-1449<br><u>SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</u> |  | ATTY. DOCKET NO.<br>1488.131000A/EKS/EJH | APPLICATION NO.<br>10/005,842   |
|  |  | APPLICANT<br>Ni et al.                   | FILING DATE<br>December 7, 2001 |
|  |  | GROUP<br>1646                            |                                 |

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|                  | AP |                 |      |         |       |           | Yes<br>No   |

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

|    |           |  |
|----|-----------|--|
| AR | <u>11</u> | Old, L.J., "Tumor Necrosis Factor," <i>Scientific American</i> , pp. 59-75, Scientific American, Inc. (May 1988)   |
| AS | <u>11</u> | Wallach, D., "TNF Ligand and TNF/NGF Receptor Families," in <i>Cytokine Reference. A compendium of cytokines and other mediators of host defense</i> , Oppenheim, J.J., et al., eds., Academic Press, Inc., San Diego, CA, pp. 377-411 (August 2000) |
| AT |           |  |

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